

REMARKS

Claims 1-8, 23-29, and 35-41 are pending in this application. Claims 1 and 3 have been amended in this response. No new matter has been added by way of these amendments. In particular, the amendments to claim 1 and 3 are supported at least in paragraphs [0055] and [0072] of Applicant's originally filed specification. Favorable reconsideration and further examination are respectfully requested in view of the foregoing amendments and following remarks which are preceded by related comments by the Examiner in small bold font.

35 U.S.C. § 103

Claims 1, 3-4, 6, 23, 28, 36-37 and 39 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over U.S. Patent 7,515,717 ("Doyle") in view of U.S. Patent Publication 2005/0132083 ("Raciborski") and in further view of U.S. Patent 6,006,034 ("Heath").

With respect to claim 1, the Examiner states:

However, Doyle et al. does not teach sending information specifying an acceptable authentication procedure. First, please note that the following discussion will modify the download manager to incorporate the functions of authenticating a user and restricting access to downloading a file based on an action. Second, the "information" shall be addressed in part B].

Raciborski et al. teaches a download manager, i.e., program invoking an authentication but is silent as to the program invoking a) user authentication and b) file restrictions based on the user and action type. Doyle et al. teaches the software functions of a) authenticating a user, determining the type of action the user is permitted to perform on the file but is silent as to doing this for a specific file type (e.g., document identifier) ([Col 1 lines 36-46]) Raciborski et al. teaches identifying the file for download based on a content identifier ([0032], [0025] e.g., description for each object). Raciborski et al. further teaches an action pertaining to a file (e.g., downloading the file)

Therefore, at the time the invention was made, one of ordinary skill in the art would have motivation to modify the download manager to include the functions of authenticating a user accessing a file, identifying a file type that is being accessed, and implementing restrictions for the user attempting to access the file (e.g., action).

Applicant respectfully disagrees and traverses this rejection. The Examiner seems to equate the download manager of Raciborski to the "authentication procedure" recited in claim 1.

Applicant disagrees and notes that the Examiner's position fails to consider the claimed subject matter as a whole. Claim 1 recites specifying "an acceptable authentication procedure" subsequent to "determining whether user authentication is needed based on the document identifier and the action" requested with respect to that document. In contrast, the download manager of Raciborski is a program for downloading *a plurality of content objects* from the Internet to a computer of a user.¹ The download manager is therefore not understood to be an authentication procedure when "authentication is needed based on the document identifier and the action," and wherein the action is "with respect to an electronic document."

However, in the interest of advancing prosecution and without conceding to the Examiner's position, Applicant has amended claim 1 to recite, *inter alia*, "an action with respect to an electronic document *residing at the client*" and "*based on determining whether user authentication is needed*, sending information specifying an acceptable authentication procedure." Assuming, *arguendo*, a person of ordinary skill in the art combined Doyle with Raciborski as alleged by the Examiner, such a combination would not render obvious the foregoing features of amended claim 1 at least because one of ordinary skill in the art would not use a download manager for content that is already "residing at the client." Claim 1, as amended, clarifies that the "information specifying an acceptable authentication procedure" is "based on determining whether user authentication is needed," and such determination, in turn is "based on the document identifier and the action" with respect to "an electronic document residing at the client." In contrast, the download manager of Raciborski is clearly described to facilitate downloading of content objects and cannot be applied as alleged by the Examiner, for documents already "residing at the client." Raciborski describes three versions of the download manager program. The first version downloads files based on an embedded XML list in the download manager²:

With reference to FIG. 3A, a block diagram of an embodiment of a download manager program 300-1 is shown that has customized XML 308 embedded within it. The customized XML 308 describes the content objects associated with the download manager program 300-1. The files listed in the customized XML 308 are requested from the media site 102 by the download manager software 304 and downloaded. (Emphasis added)

¹ See Raciborski at Abstract.

² *Id.*, paragraph [0033].

In another version, the download manager is described to access the XML information based on an embedded token³:

Referring next to FIG. 3B, a block diagram of another embodiment of the download manager program 300-2 is shown that has a token 316 embedded within it. The token 316 is presented to the media site 102 that references the token database 220 to provide XML information back to the download manager program 300-2. In one embodiment, the XML is not passed back to the download manager program 300-2 and the media site controls passing the content objects to the download manager program 300-2. The token 316 uniquely identifies download manager program 300-2.

A third version allows the download manager to extract the content objects from a media site based on portions of the content object embedded within the download manager program⁴:

With reference to FIG. 3C, a block diagram of another embodiment of the download manager program 300-3 is shown that embeds at least a portion of the content objects 320 into the program 300-3. Before extraction, the media site 102 has to authorize the extraction. The media site may require a password or authentication of the user computer 104 before the files can be extracted.

Therefore, the download manager of Raciborski, and Raciborski in general, is directed to downloading content objects and therefore cannot be applied as alleged by the Examiner for electronic documents "residing at the client." Even if Doyle is combined with Raciborski as alleged by the Examiner, *arguendo*, such a combination would fail to describe or render obvious the subject matter of amended claim 1. Rather, such a combination would only result in authenticating a user to a given download manager program. In fact, Raciborski describes such user authentication⁵:

Authentication information 312 embedded in the download manager program 300-1 can be used by the download manager software 304 to authenticate the customized XML 308 and download manager software 304. ... The various authentication information packets 312 for the download manager programs of each user could be stored in the user information database 124.

Heath, which describes automatic updates to an installed software, fails to cure the above mentioned deficiencies of the combination of Doyle and Raciborski. Claim 1, as amended, is

³ *Id.*, paragraph [0038].

⁴ *Id.*, paragraph [0039].

⁵ *Id.*, paragraph [0035].

therefore understood to be patentable over Doyle, Raciborski and Heath at least for the foregoing reasons.

Claim 3 has also been amended to recite "an action with respect to an electronic document residing at the client," and is therefore patentable for at least analogous reasons mentioned with respect to claim 1. Claims 4 and 6 depend from claim 3 and are therefore patentable for at least the reasons for which claim 3 is patentable.

With respect to claim 23, the Examiner recites:

As per claim 23, Doyle et al., as modified, teaches a system comprising:

...
wherein the client uses the software program to identify the current user and control an action with respect to an electronic document based on the current user and document- permissions information associated with the electronic document, and wherein the action comprises an action taken with respect to the electronic document subsequent to opening the electronic document at the client (e.g., *supra* claim 1)

Applicant disagrees. Claim 23 recites, *inter alia*, "wherein the action comprises an action taken with respect to the electronic document *subsequent to opening* the electronic document at the client" (emphasis added). Since the document is already "at the client," Raciborski cannot be applied to claim 23, as alleged by the Examiner, at least for analogous reasons mentioned above with respect to claim 1. Applicant notes that the Examiner has not articulated as to how the alleged combination of references are applied to the above feature of claim 23 but has merely made a reference to the reasoning presented with respect to claim 1.

Claim 23 is understood to be patentable over Doyle, Raciborski and Heath for at least analogous reasons mentioned with respect to claim 1. Claims 28, 36-37 and 39 patentable at least for the reasons for which claim 23 is patentable.

The Examiner further states:

Claims 2, 24, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. (USPN 7515717) in view over Raciborski et al. (PGPub 20050132083) in view over Heath et al. (USPN 6006034) and in further view over Kano et al. (USPN 20030135650)

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Claims 5, 26, and 38 are rejected under 35 U.S.C. 103 as being unpatentable over Doyle et al. (USPN 7515717) in view over Raciborski et al. (PGPub 20050132083) in view over Heath et al. (USPN 6006034) and in further view over view over Hu (USPN 5586260)

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Claims 7 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. (USPN 7515717) in view over Raciborski et al. (PGPub 20050132083) in view over Heath et al. (USPN 6006034) in view over Hu (USPN 5586260) and in further view over Leon (PGPub 20040249765)

...
As per claims 8, 27, 38, and 41, Raciborski et al., as modified by Doyle et al., teaches It does not teach receiving an authentication receipt from a third party authentication server based on input obtained by the client using the software. Hu teaches returning an access key from an authentication gateway acting as a proxy server to the client, ...

...
Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. (USPN 7515717) in view over Raciborski et al. (PGPub 20050132083) and in further view over Heath et al. (USPN 6006034) and in further view over Boozer et al. (USPN 7370344)

...
As per claim 28, Raciborski et al., as modified, teaches a server comprising: a server core with configuration and logging components ([0029]) an internal services component that provides functionality across dynamically loaded methods ([0029] e.g., web page) dynamically loaded external services providers, including an authentication service provide (supra Hu for authentication server - ABSTRACT)

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al. (USPN 7515717) in view over Raciborski et al. (PGPub 20050132083) in view over Heath et al. (USPN 6006034) in view over Hu (USPN 5586260) and in further view over Tenerclllo (USPN 7233981)

...
As per claim 36, Doyle et al., as modified, teaches ... (e.g. supra claim 23)

The above rejections are all with respect to dependent claims that Applicant contends are patentable at least for the reasons discussed above with respect to their corresponding independent claims. Although it is believed that the dependent claims define patentably distinct features, given the distinctiveness of the respective independent claims, the dependent claims are not discussed here in detail.

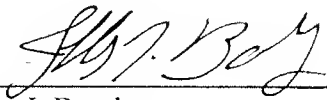
Applicant : Jonathan D. Herbach, et al.
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Attorney's Docket No.: 07844-0623001 / P568

No fees are believed due. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 07844-0623001.

Respectfully submitted,

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